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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|-------------------------|---------------------|------------------|
| 09/837,235 | 04/18/2001 | Christopher P. Marshall | 9725-005 | 1399 |

7590

02/01/2006

Jane M. Love, Ph.D.
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EXAMINER

SAIDHA, TEKCHAND

ART UNIT

PAPER NUMBER

1652

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|---|------------------------|---------------------|--|
| Response to Rule 312 Communication | Application No. | Applicant(s) | |
| | 09/837,235 | MARSHALL ET AL. | |
| | Examiner | Art Unit | |
| | Tekchand Saidha | 1652 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 31 May 2005 under 37 CFR 1.312 has been considered, and has been:

a) ☒ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☐ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

See office Action for details.

37 CFR 1.312 Amendment

1. Applicants' amendment filed May 31, 2005, under 37 CFR 1.312 is acknowledged. The amendment presented are not for amending any claims, but to merely to cancel claims 40-51. Claims 40-51 were added as per the amendment filed February 3, 2005 after prosecution was closed. The amendment has been entered.

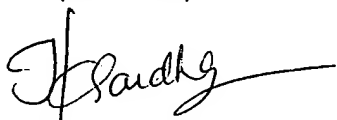
Claims 10-13, 18-20 & 22-39 remain allowed at per the notice of allowability, mailed November 17, 2004.

2. During a telephone interview on September 8, 2005, with Ms. Jane Love, Applicants' Representative, clarification regarding the 312 amendment was sought, and is reflected above.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tekchand Saidha whose telephone number is (571) 272 0940. The examiner can normally be reached on 8.30 am - 5.00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapu Achutamurthy can be reached on (571) 272 0928. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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September 8, 2005